

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:09-HC-2023-BR

| | | |
|---------------------------|---|--------------|
| UNITED STATES OF AMERICA, |) | |
| Petitioner, |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| MALCOLM SHONE NEZ, |) | |
| Respondent. |) | |
| |) | |

This matter is before the court on the 11 December 2014 motion of the government to modify the terms of respondent's conditional release. (DE # 44.) The motion represents that respondent does not object to the modification. The motion is hereby GRANTED, and the 7 December 2012 conditional release order (DE # 41) is hereby modified by striking therefrom condition numbers 1-3 on pages 1-2 and inserting in lieu thereof the following:

1. Upon his arrival in Arizona, respondent shall be and remain under the supervision of the United States Probation Office for the District of Arizona, and shall comply with all of the standard conditions of supervision, any other conditions adopted by the U.S. Probation Office, and the specific conditions set forth herein. Respondent shall report in person to the U.S. Probation Office within 72 hours upon arrival in Arizona unless prior arrangements have been approved directly between respondent and the assigned U.S. Probation Officer. Thereafter, respondent shall report to the U.S. Probation Officer as directed. Prior to respondent's arrival in Arizona, respondent shall remain under the supervision of the United States Probation Office for the Middle District of North Carolina, and shall comply with the standard conditions of supervision, any other conditions adopted by the U.S. Probation Office, and the specific conditions set forth herein.
2. Respondent shall reside at a location that has been approved in advance by respondent's supervising U.S. Probation Officer. Respondent is currently approved to reside with his mother at his native Navajo Indian Reservation in proximity to Dinnebito Junction, Arizona. Any change in residence must be approved in advance by respondent's supervising U.S. Probation Officer.
3. Respondent shall maintain active participation in a regimen of mental health care as directed by the U.S. Probation Officer. Respondent shall follow all rules, regulations and instructions of the treatment staff and comply with the treatment

regimen recommended by his treatment providers. Any change in mental health treatment providers shall be approved in advance by the U.S. Probation Officer.

This 15 December 2014.

A handwritten signature in green ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

W. Earl Britt
Senior U.S. District Judge